IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 16226 of 2004

Between:

B. Shesha Rao S/o. Gopal Rao
at 5-30/A, Beside Kanaka Durga Temple,

Dilsukhnagar, Main Road, Hyderabad.

..... PETITIONER

AND

1 The Executive Officer (Endowoments Dept.,) Sri Kanaka Durga Temple, Dilsukhnagar Main Road, Hyd.
2 The Manager, Sri Kanaka Durga Temple, Dilsukhnagar, Hyd.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a Writ, Order or direction particularly writ of Mandamus to declare the action of 2nd respondent in issuing impugned Notice Dt. 2.8.2004 requiring the petitioner to show cause as to vacation of Shop bearing No.5-30/A, beside Kanaka Durga Temple on the pretext of Vasthu requirement, as in the notice dt. 27.5.2004 under the threat of dispossession as in the encroacher as arbitrary without any competency, irrational, discriminatory and to accommodate the vested interests besides violative of Fundamental Rights R/w. Provisions of the Act, and Principles of natural justice and consequently set-aside the Impugned Notice by continuing the petitioner on any terms and conditions in the said premises.

Counsel for the Petitioner: MR.M.PRAVEEN KUMAR (Not present)

Counsel for the Respondents: MR. K.RAVI, SC FOR ENDOWMENTS

The Court made the following:

ORDER:

On 21.04.2005, the matter was adjourned to 25.04.2005 to be posted under the caption of 'for dismissal'. Today, when the matter is taken up for hearing, neither the learned counsel for the petitioner is present nor there is any representation on his behalf.

Therefore, the writ petition is dismissed for default. No order as to costs.

_____

25.04.2005

dr/tvk

To

1 The Executive Officer (Endowoments Dept.,) Sri Kanaka Durga Temple, Dilsukhnagar Main Road, Hyd.
2 The Manager, Sri Kanaka Durga Temple, Dilsukhnagar, Hyd.

3 2 CD copies